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New Attorney Docket No. HTEC-025/02US

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By: Deborah Hager

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of James R. Mault

Serial No.: 10/090,984

Examiner: Stephen J. Cherry

Confirmation No.: 7564

Art Unit: 2863

Filed: March 4, 2002

For: **A SYSTEM AND METHOD OF METABOLIC RATE MEASUREMENT**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In the restriction requirement mailed March 23, 2004, the Examiner requested that the Applicants elect among the following groups of claims:

Group I: Claims 1-14, 15-16, 18-26; and

Group II: Claims 17 and 27-30.

Applicants hereby elect, without traverse, Group I, which includes Claims 1-16 and 18-26, for prosecution on the merits.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Dated: _____

July 12, 2004

Cooley Godward LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (720) 566-4016
Fax: (720) 566-4099

Respectfully submitted,
COOLEY GODWARD LLP

By: _____

Craig A. Neugeboren
Craig A. Neugeboren
Reg. No. 39,314